

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 19-23, 31-32 and 35-39 are pending in the application, with claims 19, 31 and 35 being the independent claims. Claims 17, 18 and 24-30 are sought to be canceled without prejudice to or disclaimer of the subject matter therein. Claims 19-23 and 31-32 are sought to be amended. Claims 35-39 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

A request for continued examination (RCE) is being filed concurrently herewith. Therefore, the finality of the Office Action dated November 3, 2004 should be withdrawn, and the amendments and arguments set forth herein should be entered and considered. *See* 37 C.F.R. § 1.114(d).

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

I. Support for Amended and New Claims

Claims 19 and 31 have been rewritten in independent form and include all of the limitations of their respective base claims. Claims 20-23 and 32 have been amended solely to change their dependencies to accommodate the amendments to claims 19 and 31.

Support for new claims 35-39 can be found throughout the specification, for example, at page 25, line 8, through page 26, line 10.

II. Claim Rejections Under 35 U.S.C. § 103

Claims 17, 18, 20-30 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO 94/23756. *See* Final Office Action, page 2. Applicants respectfully traverse this rejection for the reasons set forth in Applicants' Amendment and Reply Under 37 C.F.R. § 1.111, filed November 7, 2003.

Nevertheless, solely to expedite allowance of the present application, claims 17, 18 and 24-30 have been canceled. Claims 20-23 and 32 have been amended to depend from claims 19 and 31, respectively. As discussed below, claims 19 and 31 have been rewritten in independent form in accordance with the Examiner's suggestion and are therefore allowable. Amended claims 20-23 and 32 are likewise allowable.

In addition, Applicants note that the rejection under § 103 should not be applied to new claims 35-39 because WO 94/23756 does not teach or suggest an antisense oligonucleotide complementary to a region within nucleotides 150-1139 of SEQ ID NO:1, wherein the region includes one or more nucleotides selected from the group of nucleotides recited in new claim 35.

In view of the claim amendments set forth above, the rejection under 35 U.S.C. § 103 has been fully accommodated and should be withdrawn.

III. Claim Objections

The Examiner stated that claims 19 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. *See* Final Office Action at page 6. In accordance with the Examiner's suggestion, claims 19 and 31 have been rewritten in independent form and include all the limitations of their respective base claims (claims 17 and 30). Thus, the objection to claims 19 and 31 has been fully accommodated and should be withdrawn.

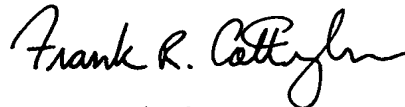
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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